

HOUSE No. 28

Accompanying the first recommendation of the Public Employees Retirement Administration
Commission (House, No. 27). Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine.

AN ACT RELATIVE TO DUAL MEMBERSHIP AND REGULAR COMPENSATION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the
authority of the same, as follows:*

1 Sub-division (2) of Section 5 of Chapter 32 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by adding the following paragraph—

3 (e) Any person who has been a member of two or more systems, and who, on or after January
4 first, two thousand and ten, has received regular compensation from two or more governmental
5 units, shall, notwithstanding and general or special law to the contrary, upon retirement receive a
6 superannuation retirement allowance to become effective on the date of retirement that is equal to
7 the sum of the benefits calculated pursuant to this section as though the member were retiring
8 solely from each system, provided, however, that the provisions of this paragraph shall not apply
9 to a member who has received part time creditable service in one or more systems and provided,
10 further, that, notwithstanding the provisions of paragraph (c) of sub-division (8) of section 3, each
11 system shall pay the superannuation retirement allowance attributable to membership in that
12 system to the member.